

Court of Appeals, State of Michigan

ORDER

People of MI v Johnny Reese

Docket No. 319281

LC No. 13-001256-AR

Kurtis T. Wilder
Presiding Judge

Kirsten Frank Kelly

Karen M. Fort Hood
Judges

In lieu of granting leave to appeal, the Court orders that the January 18, 2013 order is REVERSED and this matter is REMANDED to the district court for further proceedings consistent with this order. The district court abused its discretion in declining to bind the defendant over for trial. *People v Redden*, 290 Mich App 65, 83; 799 NW2d 184 (2010). The prosecution presented sufficient evidence to support probable cause to believe that a crime was committed and that the defendant committed it. *People v Perkins*, 468 Mich 448, 452; 662 NW2d 727 (2003). Whether the evidence conflicts or raises reasonable doubt of the defendant's guilt is not a proper basis for refusing to bind the defendant over for trial. *People v Yost*, 468 Mich 122, 128; 659 NW2d 604 (2003)

This Court retains no further jurisdiction.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

MAR 20 2014

Date

Chief Clerk